

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SORKIN, Felix L.

SERIAL NO.: 10/688,183

ART UNIT: 3636

FILED: October 20, 2003

EXAMINER: Graysay, T. L.

TITLE: EXTRUDED UPPER BEAM SLAB BOLSTER FOR USE IN CONSTRUCTION

Amendment B: REMARKS

Upon entry of the present amendments, Claims 21 -32 remain in this case. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it was indicated that Claims 33 - 40 were rejected under 35 U.S.C. § 102(b) as anticipated by the Taylor patent. Claim 36 was objected under 35 § U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner has also indicated that there are minor informalities with respect to the illustration of Figure 2 and with respect to the disclosure in the first paragraph of the application. Importantly, it was indicated that Claims 21 - 32 are allowed.

Although Applicant respectfully disagrees with the Examiner's determination with respect to Claims 33 - 40, Applicant is desirous of securing patent protection for the present invention at an early date. As such, Applicant has canceled the rejected Claims 33 - 40 so that allowed Claims 21 - 32 remain. As such, these remaining claims should be now in a proper condition for allowance.

Applicant has revised the drawings so as to eliminate the unidentified lead line from Figure 2. The "Related U.S. Applications" portion of the specification has been revised so as to clearly

identify that certain patents have issued from the previously pending applications from which the present application is a continuation-in-part.

Applicant's attorney notes that a Petition to Revive for Unintentional Abandonment under 37 C.F.R. § 1.136 accompanies this amendment, along with the requisite fee.

Based upon the foregoing analysis, Applicant contends that independent Claim 21 is now in proper condition for allowance. Additionally, those claims which are dependent upon this independent claim should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional claim fee is required.

Respectfully submitted,

December 14, 2006

Date

Customer No. 24106

/Andrew W. Chu/

John S. Egbert; Reg. No. 30,627
Andrew W. Chu; Reg. No. 46,625
Egbert Law Offices
412 Main Street, 7th Floor
Houston, Texas 77002
(713)224-8080
(713)223-4873 fax

Marked Up Copy

On page 1, under “RELATED U.S. APPLICATION”, revise the paragraph as follows:

The present application is a continuation-in-part of U.S. Application Serial No. 10/223,044, filed on August 19, 2002, and entitled “Upper Beam Slab Bolster with Parallel Plates”, ~~presently pending;~~ now U.S. Patent No. 6,775,954, and a continuation-in-part of U.S. Application Serial No. 10/223,042, filed on August 19, 2002, and entitled “Upper Beam Bolster for Use in Construction”, presently pending now U.S. Patent No. 6,772,571.